DOCUMENT RESUME

ED 074 930 HE 003 902

AUTHOR	Keast, William R.
TITLE	The Commission on Academic Tenure in Higher Education: A Preview of the Report.
PUB DATE	15 Jan 73
NOTE	15p.; Speech presented at annual meeting of the Association of American Colleges (San Francisco, January 1973)
EDRS PRICE	MF-$0.65 HC-$3.29
DESCRIPTORS	*College Faculty; *Higher Education; Professors; *Speeches; Staff Utilization; *Teacher Welfare; *Tenure
IDENTIFIERS	*Commission on Academic Tenure

ABSTRACT

This speech is a preview of the report prepared by the Commission on Academic Tenure. Following a review of the Commission's history, four major areas are reviewed. These areas include salient facts about the current operations of the tenure system, central tendencies of the Commission's findings and recommendations, an outline of the Commission's report and illustrations of some major concerns, and a presentation in greater detail of one of the commission's recommendations concerning staff planning. (MJM)

FILMED FROM BEST AVAILABLE COPY

ED 074930

PRESENTATION

at

ANNUAL MEETING

of the

ASSOCIATION OF AMERICAN COLLEGES

January 15, 1973

San Francisco Hilton Hotel

THE COMMISSION ON ACADEMIC TENURE IN HIGHER EDUCATION: A PREVIEW OF THE REPORT

by

WILLIAM R. KEAST

DIRECTOR, CENTER FOR HIGHER EDUCATION,
AND CHAIRMAN, DEPARTMENT OF ENGLISH, THE UNIVERSITY
OF TEXAS AT AUSTIN

HE003902

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
OFFICE OF EDUCATION
THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL OFFICE OF EDUCATION POSITION OR POLICY

When this program was planned last June, it was expected that the report of the Commission on Academic Tenure, which was then approaching the end of its ten-month life, would be published by early January. This session, it was hoped, would indeed consist of reflections upon a report which the participants and many of those in the audience would have had an opportunity to read. Un fortunately, the writing of the report, its revision, editing, and printing have taken longer than was anticipated; the Commission's report is now in press and the publisher, Jossey-Bass, expects a publication date in the latter part of March. Our session this afternoon, therefore, must be in the nature of a preview of the Commission's report rather than reflections upon it. And this must be done, unfortunately, largely without the supporting arguments that underlie the Commission's views. But I know that many, perhaps most of you, are currently grappling with academic tenure problems in your own institutions. I hope that the Commission's report will be useful to you, your faculties, and your boards of control, and that this preview will encourage you to anticipate the detailed recommendations of the Commission as you review your own institutional arrangements.

As you know, the Commission on Academic Tenure in Higher Education was sponsored by the two framers of the 1940 Statement of Principles on Academic Freedom and Tenure, the Association of American Colleges and the American Association of University Professors. The Commission's work, which began in September 1971 and continued until July 1972, was supported by the Ford Foundation. The Commission's eleven members were drawn from the ranks of administrators, faculty, students, and laymen;

it worked entirely independently of its sponsors, though it received their generous cooperation in its work; neither sponsoring organization has yet seen the Commission's report.

The Commission's charge was to review the operation of the tenure system in American higher education, to evaluate the criticisms of tenure made during recent years, to consider alternatives to tenure in use or proposed for adoption, and to recommend such modifications or improvements in the tenure system as in its judgment are needed if tenure is to be retained.

The Commission met for the first time in September 1971; it completed formal work on its recommendations in late June 1972. The Commission's work was conducted through a series of meetings of the entire Commission; through visits by Commission task forces to fourteen campuses and university centers throughout the United State; through extensive consultation and correspondence with faculty, administrative officers, students, members of governing boards, and officers of state systems of higher education; and through the work of a small Washington staff.

The Commission's report will include independent essays by three scholars on aspects of the tenure problem requiring more concentrated and expert treatment than the Commission or its staff could provide: on the history of tenure by Professor Walter P. Metzger of Columbia, on legal aspects of tenure by Professor Victor Rosenblum of Northwestern, and on tenure and collective bargaining by Professor William McHugh of American University.

In this preview of the report of the Commission, I would like first to present a few salient facts about the current operation of the tenure system; second, to indicate the central tendency of the Commission's findings and recommendations; third, to outline the Commission's report and illustrate some of its major concerns; and finally to present in somewhat greater detail one of the Commission's recommendations that is likely to be of special interest to this audience.

The following are among the most important features of the operation of the tenure system today:

1. Some form of tenure is characteristic of the faculty personnel policy of most institutions of higher education in the United States -- of all public and private universities, all public 4-year colleges, 94 per cent of private 4-year colleges, and more than two-thirds of the 2-year colleges. Approximately 94 per cent of all faculty are serving in institutions which confer tenure.

2. Though most institutions which grant tenure adhere in some degree to the guidelines of the 1940 Statement, there is enormous diversity in every aspect of interpretation, policy, and procedure. There is, in fact, no such thing as a tenure "system" in American higher education, with the degree of uniformity that term implies.

3. In most institutions, about half the faculty hold tenure appointments; but the range of variation here is also remarkable: in many institutions the tenured faculty constitutes less than 25 per cent of the total; in many the proportion is above 80 per cent. The tendency is in the latter

direction.

4. Tenure is conferred very generously. In most institutions upwards of 80 per cent of those under consideration were awarded tenure in 1971; forty-two per cent of institutions granted tenure to all faculty members considered for tenure in that year.

5. During the 1960s the age at which tenure was awarded dropped significantly. In 1969, nearly two thirds of the tenured faculty were 50 or younger; of the total faculty three-fourths were 50 and younger.

6. Very few institutions - only about 6 per cent, mostly private 4-year colleges - set any limits to the proportion of the faculty who are or who should be on tenure.

7. The proportion of tenured faculty today is about what it was in the early 1960s - roughly 50 per cent. But future prospects are very different. The relative youth of most faculties means that retirements will occur at a slower rate. With tight budgets, and enrollments growing more slowly, continuation of recent liberal policies in awarding tenure will mean that tenure staffs will be so large as to pose grave budgetary problems and to make the prospects for promotion or recruitment of younger faculty increasingly meager. The effort to bring more women and minority group members into the higher faculty ranks may be frustrated. Several of the Commission's recommendations are designed to deal with this set of problems.

After careful examination of the arguments for and against tenure,

and of the operation of tenure and non-tenure plans in institutions of various kinds, the Commission's major conclusion is that academic tenure should continue to be the characteristic form for organizing professional teaching and scholarly service in American higher education. We believe that its value in protecting academic freedom is paramount. Academic freedom is so central to the integrity of our educational institutions, and to their effectiveness in the discovery of new knowledge, in conservation of the values and wisdom of the past, and in promotion of the critical inquiry essential to self-renewal, that academic tenure, in the Commission's view, should be retained as our most tested and reliable instrument for incorporating academic freedom into the heart of our institutions.

There can be no doubt that there are very serious weaknesses in the operation of tenure policies in our colleges and universities. But it is the Commission's judgment that these weaknesses arise not from any inherent defect in the principle of tenure itself but from serious deficiencies in its application and administration in individual institutions. Many of these stem from changes in higher education during the expansionist decades following World War II. Others arise from the mistaken belief that technical adherence to the guidelines of the 1940 Statement of Principles would in itself assure an effective tenure plan. The Commission is convinced that the deficiencies in academic tenure which have been most criticized are remediable by reforms in institutional policy and practice and in professional standards and priorities. Our recommendations are intended to promote such reforms.

The corollary to this conclusion is that alternatives to tenure - of which some form of renewable contract arrangement is the most widespread - are not, in the Commission's judgment, the solution to the difficulties so many of our institutions face. The central question for the Commission was this: Is there a solid basis for recommending to institutions now using faculty tenure plans the adoption instead of a contract system without tenure? The Commission's answer is clear: We have found no evidence to warrant the belief that any contract system now in use, or any that has been proposed, will in fact eliminate the deficiencies that have been identified in the operation of the tenure system, that will not involve new and serious problems of other kinds, and that can be relied upon to protect academic freedom and the integrity of institutions of higher education.

The Commission's detailed recommendations - over 40 in all - are aimed at the reform and strengthening of tenure policy and practice. Our focus is primarily upon the individual institution, because it is here that improvement is most needed, it is here that substantive policy reflecting the special traditions and objectives of the institution must give meaning to the general standards in the 1940 joint AAC-AAUP Statement of Principles.

The Commission's recommendations therefore begin with a section on the specific responsibilities of the several components in each institution for making tenure work. There follow five groups of

recommendations. There is a section on tenure and professional development, because we believe that many of the problems supposedly linked to tenure are actually larger problems of faculty development, growth, and change, such as the encouragement of innovation, periodic refreshment and retooling, shifts in interests, decline in energy and zest, and the like. The Commission believes that institutions should undertake more systematic and imaginative career development programs, perhaps along the lines suggested by Kenneth Eble in his report on Career Development of the Effective College Teacher.

Next, a section on neglected elements of an effective tenure plan. Prominent among these, in the Commission's judgment, are a more careful and reliable use of teaching effectiveness as a criterion for promotion and the award of tenure; an explicit and formal role for students in the assessment of teaching effectiveness; the development of faculty codes of conduct through which faculties can accept and fulfill their corporate responsibility for the integrity of the profession and of the institution in which they serve; and a new attention to staff planning - to which I will return at the end of my remarks.

The next group of recommendations is concerned with the detailed operation of institutional tenure plans. The Commission attaches great importance to the development of a full and formal policy statement on faculty personnel policy. It believes that tenure decisions must always rest on explicit judgment and never on the mere passage of time in grade. It believes that the probationary period should be taken with a new serious-

ness and that a development and evaluation program should be a regular feature of the probationary period. The Commission notes that many institutions use relatively short probationary periods before tenure decisions are made - 2, 3, or 4 years. It is our judgment that the probationary period, if it is to have the seriousness that its crucial place in the tenure process demands, should normally not be less than 5 years. The Commission supports the giving of reasons for nonreappointment or the denial of tenure, and suggests criteria for "permissible" reasons. In the conviction that faculty self-discipline has often been paralyzed because dismissal is the only sanction contemplated under standard procedures, we advocate the development by each institution of sanctions short of dismissal that may be applied in cases of demonstrated irresponsibility or professional misconduct.

This section is followed by a group of recommendations on special problems. Included here is a brief treatment of early retirement, of tenure for part-time service, of tenure and administrative office, and of institutional policy in coping with financial exigency. Collective bargaining is of course a rapidly emerging special problem. The Commission recommends that collective bargaining not extend to academic freedom and tenure and related faculty personnel matters, and that grievances involving issues of freedom and tenure be referred to academic procedures outside the collective bargaining process.

The recommendations in the final section of our report, on needed information and research, are aimed at reducing our collective ignorance

about personnel practices in American higher education and at providing to institutions, on a systematic and continuing basis, the information they need in reviewing and strengthening their own policies and procedures.

In closing, I would like to return for a few moments to staff planning, one of the neglected elements in an effective tenure plan to which the Commission's report devotes considerable attention. I single this topic out not only because it is important and controversial, but because it presents problems on which an association such as the AAC is in a position to provide its member institutions and higher education generally with special assistance in the form of information, technical help, and policy guidance.

By staff planning we refer simply to the projection, on a departmental - and institution-wide basis, of the staff requirements of the institution for a future period, say five to ten years, on the basis of what is known or can be realistically estimated about enrollment, budget and other resources, program changes, and availability of personnel - all assessed in relation to the present composition of the faculty and the goals of the institution as a whole.

The importance of proper staff planning, which is a seriously neglected element of personnel policy, to the effective operation of a tenure system is obvious. Since tenure involves long-term commitments, it introduces rigidities in operations which must be reduced by careful planning. The critical problems to be resolved by good staff planning include the following:

First, to assure a reasonable spread of age in each faculty unit, so that retirements occur at a rate which minimizes replacement problems in the short run and permits the gradual assimilation of new faculty;

Second, to assure that positions for junior appointments are available at a steady rate and that reasonable opportunities exist for the achievement of tenure;

Third, to insure that the tenured faculty is not so large as to impose an impossible budgetary burden on the institution or to prevent the infusion of new vigor and fresh points of view through the recruitment of new faculty;

Fourth - and of increasing urgency today - to insure that opportunities are open for the recruitment of more women and minority group faculty, and their advancement to tenure status;

Fifth, to give the institution flexibility in responding to student interests, to expand or contract units, and to meet other contingencies.

Serious staff planning did not seem to be necessary or even possible during the expansionist period of the 50s and 60s. Many institutions, desparately trying to respond to ever-increasing demands, apparently assumed that growth would be permanent and that no serious thought need be given to a different tomorrow. The habits and expectations developed during those decades plague us today, when many institutions find themselves rapidly becoming tenured - in, with tenured faculties so large and so young, with retirements so infrequent, and with faculty mobility so sharply reduced, that opportunities for recruitment and promotion are gravely diminished. Much of the pressure to modify or abolish the tenure system

arises from this kind of situation. The Commission believes that it would be bad policy to abandon tenure when the real problem lies in staff planning. We have no panacea for the difficulties in which many institutions now find themselves, but we recommend the prompt development of careful staffing plans to reduce the impact of past neglect and to prevent future recurrences. These plans, the Commission believes, should provide explicitly for a substantial increase, in virtually all institutions, in the tenure component of women and members of minority groups.

In designing a realistic staffing plan, each institution will have to face the question of the proper ratio of the tenured to the nontenured faculty. The Commission recommends that each institution should develop a policy on this matter that is appropriate to its particular mission and its circumstances and resources, with special attention to the age, rank, and tenure composition of its present faculty, the institution's growth prospects, its program plans, and its resource allocation policies.

The establishment and maintenance of ratios of tenured and nontenured faculty will not be easy; on campuses which are beginning to face up to this problem, misunderstanding and controversy have marked the effort. Older faculty members who began their academic careers before World War II are familiar with tenure ratios and quotas and with departmental tables of organization which specified the number of positions at each rank; they grew up with them. These constraints were

commonplace in virtually all institutions, and faculty expectations were adjusted to the limits set by institutional staffing patterns. But these practices were abandoned during the expansion period of the late 1950s and 1960s, and the faculty who predominate in American colleges and universities today regard the imposition of tenure ratios or the limitation on numbers at each rank as a newfangled and improper restriction on faculty advancement. Newfangled it assuredly is not. Attention to the balance between tenure and nontenure positions and to an appropriate mix of faculty ranks is simply the revival of standard institutional practice, under conditions of increasing stability which closely parallel those in which the practice arose. But the new attention to ratios, quotas, and faculty mix may result in inequities unless institutions proceed carefully, with full faculty consultation and advice, in developing their staffing plans. Sudden imposition of quotas may operate unfairly upon probationary faculty who have been led to believe that earlier guidelines define their expectations. Fixed numerical ratios will operate with differential effect, often damaging to the academic program as well as to individual faculty members, upon departments of different size and different age composition.

The Commission therefore urges institutions to express their decisions as to the ratio of tenured and nontenured faculty as ranges or limits rather than as fixed percentages. And we recommend that the chosen ratios be applied with sufficient flexibility to different instructional units of the institution (departments, divisions, separate schools, etc.)

to take account of significant differences among them in size, current variations in age composition and tenure mix, varying research and teaching responsibilities, etc.

The Commission believes that it is probably dangerous for an institution to allow more than one-half to two-thirds of its faculty to be on tenure appointments. This caveat is likely to be especially important during the decade of the 1970s, in view of the relative youth of most faculties and of stabilizing trends in faculty size and financial resources. The Commission believes that a larger proportion of tenured faculty is likely to curtail opportunities for the appointment and retention of younger faculty, with undesirable effects on institutional vitality; to impede the development of new programs and interdisciplinary work, for which new faculty will be needed; and to diminish opportunities for the recruitment and promotion of increased numbers of women and members of minority groups.

Some interesting work on techniques for staff planning projections has already been done; more is underway in many institutions. This association and others which serve the higher education community can perform a valuable service by bringing these studies to the attention of member institutions and by encouraging a broader understanding of the crucial importance of staff planning to the health of our colleges and universities.

In concluding let me stress again the Commission's major recommendation: that academic tenure has demonstrated over the years its high value to higher education, and that vigorous efforts to improve and strengthen its administration must be among our most urgent tasks.